

# Behavior

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# Maine Parent Federation



## Information Disclaimer

The purpose of the information packet is to provide individuals with reader friendly information. We believe that a good overview is a realistic one. For this reason we have included a variety of information that may include the more difficult characteristics of a diagnosis or topic along with medical, educational and best practice information.

All information contained in this packet is for general knowledge, personal education and enrichment purposes. It is not intended to be a substitute for professional advice. For specific advice, diagnosis and treatment you should consult with a qualified professional.

When this packet was developed, Maine Parent Federation made every effort to ensure that the information contained in this packet was accurate, current and reliable. Packets are reviewed and updated periodically as changes occur.

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## Disclaimer

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**Table of Content**

<b>"The Myth of the Bad Kid"</b>	<b>3</b>
<b>"The Myth of the Bad Parent"</b>	<b>4</b>
<b>Five Facts Every Family Should Know</b>	<b>5</b>
<b>Factors that Contribute to Challenging Behavior</b>	<b>7</b>
<b>Nine Ways to Reduce Challenging Behavior</b>	<b>8</b>
<b>What to Do When Challenging Behavior Persists</b>	<b>10</b>
<b>Functional Assessment: What It Is and How It Works</b>	<b>11</b>
<b>Behavior Intervention Plans: What You Need to Know</b>	<b>14</b>
<b>Special Education Discipline: Suspension and Expulsion</b>	<b>17</b>
<b>State Resources</b>	<b>21</b>
<b>National Resources</b>	<b>22</b>
<b>Library Materials</b>	<b>23</b>

## "The Myth of the Bad Kid"

Website: <http://mentalhealth.samhsa.gov/publications/allpubs/ca-0021/default.asp>

Six-year-old Jimmy is having trouble in school. As a first grader, he already has a reputation among the teachers as a "bad kid." He spends most of his school day sitting in the corner or the principal's office. With 30 other children in his class, the teacher has little time for Jimmy. He isn't learning anything in the classroom, and he has trouble making friends.

We all have memories of the "bad kid" in our class - the child who was always in trouble and often alone. We tend to blame this kind of behavior on a lack of discipline or a bad home. We say the child was spoiled, abused, or "just trying to get attention." But these labels are often misguided. Many of these children suffer from serious emotional problems that are not the fault of their caregivers or themselves.

Myths about children's behavior make it easy to play the "blame game" instead of trying to help children like Jimmy. Often, in making assumptions, we "write off" some children. However, with understanding, attention and appropriate mental health services, many children can succeed -they can have friends, join in activities and grow up to lead productive lives. To help children with emotional problems realize their potential, we must first learn the facts about the "bad kid."

- **Children do not misbehave or fail in school just to get attention.** Behavior problems can be symptoms of emotional, behavioral or mental disorders, rather than merely attention-seeking devices. These children can succeed in school with understanding, attention and appropriate mental health services.

- **Behavioral problems in children can be due to a combination of factors.** Research shows that many factors contribute to children's emotional problems including genetics, trauma and stress. While these problems are sometimes due to poor parenting or abuse, parents and family are more often a child's greatest source of emotional support.

- **Children's emotional, behavioral and mental disorders affect millions of American families.** An estimated 14-20 percent of all children have some type of mental health problem. Jimmy and the many others mislabeled as "bad kids" can use the support of their communities.

For more information on children's emotional and behavioral problems, call the Center for Mental Health Services, Substance Abuse and Mental Health Services Administration, one of the Public Health Service agencies in the U.S. Department of Health and Human Services at 1-800-789-2647.

### **“The Myth of the Bad Parent”**

We’ve all seen it – a little girl throwing a fit in the bread aisle or a little boy kicking and screaming in front of the fragrance counter. Most parents have seen their own child behave the same way from time to time. Yet, it’s common for people to react to this kind of behavior by blaming the parent.

Being a parent isn’t easy, and all parents are bound to make some mistakes. Different parents use different parenting techniques. Some parents try to negotiate. Others use “time-out.” Sadly, some parents become so frustrated and embarrassed by their child’s behavior that they do resort to slapping, shaking or yelling at the child. Some seem to do nothing.

However, believing that a child’s behavior problem is always the result of bad parenting is like believing poor grades are always the result of an ineffective teacher. Even the best teachers have students who get poor grades, and even the best parents can have a child with a behavior problem. The fact is that behavior problems can be a sign of mental and emotional problems.

Some parents simply do not have the knowledge, skills or support they need to help them manage a child’s behavior problem. Parents often are dealing with their own issues, such as unemployment, poverty or illness.

In spite of these challenges, all parents have strengths. Most parents know from experience what a child needs most. Parents are committed to both their child and their community. Parents are dedicated to helping children grow healthy and strong. Most of all, parents have a “built-in” motivation to do what’s best for their child.

By building on these kinds of strengths, parents can develop better ways to take charge of their lives and to succeed. The key, however, is to find out what those strengths are.

“I don’t see dysfunctional families,” says Barbara Huff, Executive Director of the Federation of Families for Children’s mental health. “I see families that are over-stressed and under-supported.”

There are many resources available to parents who have a child with a mental, emotional or behavioral problem. The federal Center for Mental Health Services, a component of the Substance abuse and Mental Health Services Administration, can tell you about services and support programs in your area. Many of these organizations have mentoring programs, support groups, parenting classes or respite care.

## Five Facts Every Family Should Know

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Website: [www.pbs.org](http://www.pbs.org)

1. **All behavior is a form of communication.**

Everybody communicates through behavior. An infant may cry when she is hungry or wet, just like an adult may yawn when he is bored at work. Adults and children are communicating something through their behavior during every moment in every day, even if they are not aware of it. A child's problematic or inappropriate behavior is a sign that he is upset and that something is not right.

2. **There is always a reason for problem behavior.**

Children sometimes have trouble communicating, because they may not know the words to describe how they are feeling or what to do in a difficult situation. At these times, children may act out their feelings or needs. Thus children engage in challenging behavior for a reason. The purpose may be getting someone's attention, stopping an activity they don't like, or gaining sensory pleasure — but there is always a reason behind the behavior.

3. **There can be many reasons behind one specific behavior.**

Children with challenging behavior are sending adults the message that something is not right or that their needs are not being met. There could be many reasons for a single behavior, such as being hungry, scared, hurt, tired, bored, wet, sad or angry. Some children have a hard time knowing how to tell adults they are angry, so they act out in ways that get them into trouble. Other children may engage in behavior that seems destructive, because they enjoy the physical sensation, for example punching things or pulling threads from clothing. Sometimes children feel unsafe or out of control, so they take inappropriate action over the things they do control, like being able to kick or hurt someone. A child who has tried several times to communicate to adults about what he needs, but whose needs remain unmet, will often use problem behavior as a way of sending a very loud message.

4. **Adults can learn to understand and interpret children's challenging behavior.**

Since children often use their behavior to tell us what they need, adults can help the child by figuring out the meaning behind the child's behavior. All children, but especially those who display challenging behavior, need the consistency of a reliable and loving adult who will provide support and guidance, especially during difficult times. Just as it is important to find meaning in children's behavior, it is equally important for adults to be aware of the meaning in their own behavior. Children learn a lot through the messages that adults send everyday.\*

5. **Children's challenging behavior can be reduced with support, not punishment.**

Once adults understand what children are communicating through their behavior, they can respond better. When children feel respected and have their needs met, there is no longer a reason to use challenging behavior to communicate. Yelling at or punishing a child for a behavior may stop the behavior for the moment, but it does not give the child support or provide alternate ways to act in difficult situations. When adults use punishment, they are sending the message that anger is a good way to solve problems. When adults help children find positive ways to communicate their needs to others, children learn important social and problem-solving skills that will help them throughout their life.\*\*

*\* For more information on sending positive messages through behavior, read the PBS Parents article on [Everyday Ways to Teach Children About Respect](#).*

*\*\*For more ideas on teaching children to deal with difficult emotions, read Mister Rogers' article on [Mad Feelings](#).*

## Behavior

### Factors that Contribute to Challenging Behavior

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Website: [www.pbs.org](http://www.pbs.org)

To better understand what a child may be communicating through challenging behavior, it is important for adults to play detective and gather information. Think about when, where and with whom the challenging behavior occurs. Notice any patterns that occur. Think carefully about your child's day at school, home and other places you tend to see challenging behavior. See if you can find any patterns to your child's behavior by asking:

- Is my child avoiding something, some place, or someone?
- Does my child like the way this behavior (for example hand flapping or spinning) feels?
- Is my child uncomfortable, hungry, tired, or not feeling well?
- Is my child having a reaction to medication or food?
- Is my child angry, sad, anxious, or scared?
- Is my child confused, bored, or frustrated?
- Does my child want to get away from something or someone?
- Does my child want something?
- Does my child need more time or help to finish what she started?

Many adults find it helpful to take note of what happens directly before and directly after the challenging behavior occurs. For example: Does your child get easily frustrated, even when she's working on something she likes to do, like playing a game or playing with the family pet? If so, maybe she's not understanding the instructions or the steps that you have provided. Or maybe the expectations are not clear (Gently petting the family dog, Alex, is ok, but tightly hugging her is not.). Are you paying attention to your child only after her challenging behavior occurs? If so, maybe a few minutes of "together time" before your child begins the activity or event could prevent future challenging behavior. Start thinking about whether the circumstances before and after the challenging behavior support the child in a positive way.

## Nine Ways to Reduce Challenging Behavior

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After you have identified what triggers challenging behavior in your child, you can use that information to respond more positively to your child's needs. Here are some tips for how to get started:

### **Change the setting.**

Change the room, activity, or people involved, so your child feels supported. For example, if your child becomes over-stimulated when playing games with her friends, you might recommend she limit the number of activities going on at one time ("Why don't you turn off the TV while you're playing your game?") or try a different activity (such as painting or playing outside).

### **Respond calmly.**

Respond to the situation calmly and without your own anger — adults may need quiet time too. If your child's behavior has made you angry, take a few minutes to calm down before deciding how to respond.

### **Teach alternate behaviors.**

Teach your child alternate and more socially appropriate ways of expressing what he wants or needs. For example, if your child fights over sharing toys with friends or siblings, teach him how to ask to borrow ("Can I play with your puzzle for a little while?") and trade ("If I loan you my book, can I play with your puzzle?")

### **Offer choices.**

Offer choices and opportunities for your child to have more control over her environment. For example, if your child is a fussy eater, ask her what she'd like to eat, provide her with one or two options ("Would you like a peanut-butter or tuna-fish sandwich?"), or make her part of the planning ("Why don't you help me cook dinner/pick out groceries?").

### **Notice the positive.**

Notice positive behavior when it occurs and provide genuine praise. For example, "That was very nice of you to let your brother play with your toy." Noticing your child when she is using positive behavior lets her know that you respect her.

### **Be consistent.**

Make sure there are consistent and predictable routines. "We wash our face, brush our teeth, and put on our pajamas every night before we go to bed." Make sure that you are consistent in what you ask and that you follow through on what you say. If you say "you can watch TV after you finish cleaning up" make sure there is enough time for this to happen.

## Behavior

### **Avoid surprises.**

When there is a change in a routine or schedule, prepare your child ahead of time so he knows what to expect. For example, "Mommy and Daddy are going out tonight, so we won't be able to read you your bedtime story. But why don't we pick out a book together for us to read before we go out?"

### **Have fun.**

Make sure there is joy and fun in your child's life every day. Many parents find it helpful to play with their children before they have to do housework or errands. Think of what brings a smile to your child's face and make time each day to smile together.

### **Practice yoga.**

Yoga has many wonderful benefits for kids (and adults!). Some of these include feeling more relaxed,

## What to Do When Challenging Behavior Persists

If the challenging behavior continues or the behavior is severe to begin with, you may want to consider using an approach called Positive Behavior Support. Positive Behavior Support focuses on creating supportive environments for children that reflect their individual preferences, interests, needs, and strengths. This approach uses specific strategies to 1) understand the purpose of the challenging behavior, 2) find ways to replace the challenging behavior with more acceptable behaviors, and 3) prevent the behavior from occurring in the future. These are the same ideas that you can use at home. But in some situations the behavior is persistent, dangerous, or difficult to change, a more in-depth look at the situation may be needed. Speak to your child's teacher, school psychologist or pediatrician to locate a specialist who is trained and experienced in Positive Behavior Support. If your child is receiving special education services, a behavior plan for addressing the challenging behavior might be included in her Individualized Education Plan (IEP). You can speak with the IEP team to determine if your child would benefit from a positive behavior support plan.

If a plan is to be developed, the school psychologist, teacher or other professional should work closely with you and other caregivers in your child's life to conduct a Functional Behavior Assessment (FBA). The FBA is used to identify the purposes of your child's behavior and to develop an individualized support plan for him. Important people in your child's life will want to play an active role in developing and implementing the plan to make sure that the approach used to support him is consistent across people and settings. For more information about the FBA, read about the [Evaluation Process](#).

What is learned from the Functional Behavior Assessment is used to develop a positive behavior support plan for your child. The positive behavior support plan, sometimes called a behavior intervention plan, should be included in your child's IEP. Three steps are usually included in this plan. First, it will describe alternative, or replacement, behaviors that your child will be taught. For example, you and your child's teacher can teach your child to say "no" rather than scream when someone comes too close. Second, it will describe ways to prevent the problem behavior from occurring. For example, your child may have a specific seat or seat partner on the school bus. Third, it is a good idea for the plan to state exactly when and how your child will be given praise and support as she learns new behaviors. For more information, read [Assesment of Behavior Problems](#).

## Assessment of Behavior Problems

If your child is having behavior problems in school, a functional behavioral assessment (or FBA) may be done to identify what triggers her behavioral problems and to set a direction for change. A functional behavioral assessment helps identify the purpose of your child's misbehavior by observing her at different times and places. Once the purpose of her behavior is better understood (for example, is she trying to tell us something or does she want attention?), ideas for changing the school setting or teaching your child new ways of doing things are considered. These positive strategies may be written into your child's IEP as a behavioral support plan.

## Functional Assessment: What It Is and How It Works

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Website: [www.understood.org](http://www.understood.org)

Does your child get into trouble in class? Are trips to the principal's office common but unproductive? If so, you might be curious about new ways to address your child's behavior. It may be time to ask the school to conduct a functional assessment, also known as a functional behavior assessment (FBA).

### What a Functional Assessment Is

A functional assessment is an approach to figuring out why your child acts a certain way. It uses a variety of techniques to understand what's *behind* inappropriate behaviors. This includes looking at non-academic factors that might be contributing to your child's frustration with learning.

Knowing what's behind inappropriate behavior can help you and the school find ways to change the behavior. The basic idea behind this approach is that your child's behavior serves a purpose. Whether he's aware of it or not, your child acts a certain way to get to a desired outcome or goal.

For example, perhaps your child has a hard time showing his work on math problems. In math class, he gets angry, crumples up the paper and is disruptive. He's sent to the principal's office. The behavior isn't appropriate, but it served its purpose. Your child managed to avoid doing the work that was frustrating him. He may not know that was his goal, but he found a way to deal with the math that was causing him stress.

A key part of a functional assessment is figuring out what triggers certain behaviors in your child at home, in school and with friends. Sometimes parents and teachers assume they know what's causing a child's behavior because they've seen other children do similar things. But it's important to remember that the causes for the same behavior can vary widely among children.

### Functional Assessment vs. Comprehensive Evaluation

A functional assessment has a narrower focus than a [comprehensive evaluation](#). It focuses on the why, how, where, when and what of your child's behavior. A comprehensive evaluation is a process that's used to see if [your child is eligible for special education services](#). It looks at all aspects of your child's learning. If behavior is a concern, a functional assessment may be part of the comprehensive evaluation process.

### The Functional Assessment Team

Assessment is a team effort. Each team member sees your child from a different perspective. Everyone works together to figure out what's going on with your child's behavior.

The assessment team varies from school to school. It typically includes a person with specialized training, such as a school psychologist or behavior specialist. That professional helps to gather information. She interviews people who know and work with your child. She will also speak with your child and do some screenings or assessments.

## Behavior

A functional assessment team might also include:

- General education teachers
- [Special education](#) teachers
- Professionals who work with your child (counselors and speech therapists, for example)
- School administrators
- Parents and caregivers
- Your child

Although they're not part of the team, your child's peers can also shed light on your child's behavior.

### **The Steps of a Functional Assessment**

During a functional assessment, the team gathers information and uses it to create a plan to help your child behave in more appropriate ways. Here are the steps the team takes.

#### **Step #1: Defining the inappropriate behavior.**

Using vague words to describe your child's behavior can make it harder to gather the best information. Saying that your child is "disruptive" doesn't give enough information. And it could mean different things to different people.

Instead, it's important to describe the behavior in an objective, specific way. For example, you or a teacher might say that your child "rips up, throws work papers and is argumentative when asked to show work in math class."

#### **Step #2: Collecting, comparing and analyzing information.**

This is several steps rolled into one. Team members work to pull together information from your child's records, interviews and questionnaires. Their goal is to answer questions like:

- Where is this behavior happening?
- Where is it not happening?
- How often is the behavior occurring?
- Who is around when it occurs?
- What tends to happen right before and right after the behavior?
- What is a more acceptable behavior that can be used as a replacement?

An ABC chart is a tool that's frequently used in this step. *A* stands for Antecedent (what happens before), *B* is for Behavior (the action or reaction), and *C* is for Consequence (what happens after).

Your child can help provide this information, too. Only he can tell you *how he feels* in these situations. Asking him to try to keep track of what he is feeling—and when—could help the team.

### **Step #3: Hypothesizing reasons for the behavior.**

A hypothesis is a best guess based on the information you have. The team works together to figure out what your child's behavior is telling them. What does he get out of ripping up his paper and being disruptive? It's the team's job to figure out what he is escaping, avoiding or getting from the behavior.

### **Step #4: Developing a plan.**

Once the team has an idea of the reasons behind your child's inappropriate behavior, the team works closely with the behavior specialist or psychologist to find ways to see if the hypothesis is right. This means changing something in the environment to see if it changes the behavior.

To do this, they create a [behavior intervention plan](#) (BIP). A BIP is a plan that's designed to teach and reward positive behaviors. This can help prevent or stop problem behaviors in school. For example, it might be helpful to see how your child acts when he's asked to explain the steps of a math problem out loud—but not in front of the whole class. Or he could show his work on *some* of the problems but not all of them. Suggestions in the plan may include:

- Changes to the physical environment
- Changes to the way information is taught or presented
- Changes to your child's routine or events that happen before the inappropriate behavior
- Changes to the consequences for a behavior
- [Teaching different, more appropriate behaviors](#) that serve the same purpose (such as asking for help or taking a break when frustrated with math)

Before putting a plan into place, the team has to make sure your child understands the expectations. They have to be sure he can control the inappropriate behavior and is motivated to change. This is where information from a comprehensive evaluation is helpful.

### **The Role of Parents in a Functional Assessment**

Knowing that your child's behavior is causing problems can bring up many feelings. But the team is trying to work together to find solutions—not to place blame. Tell the team what you're seeing at home. This is an important piece of this process. It can show the similarities and differences between your child at home and at school. You can keep track of your child's behavior using an ABC approach or by [keeping a journal](#). Taking notes can make it easier to see patterns in your child's behavior.

A functional assessment may not provide an immediate solution to your child's behavior issues. But it can give a more complete picture of your child's struggles. Then you and the school can work together to take the next steps to help your child.

### **About the Author**

[Amanda Morin](#) is a parent advocate, a former teacher and the author of *The Everything Parent's Guide to Special Education*.

## Behavior Intervention Plans: What You Need to Know

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### At a Glance

- Behavior intervention plans can help prevent behavior problems by addressing their cause.
- An IEP or 504 plan should include strategies to help the child learn alternative behaviors to help him succeed.
- Interventions can take many forms, including rewards for good behavior.

Does your child have trouble behaving in the classroom? If so, that problem behavior could satisfy an unidentified need for your child.

A [functional behavior assessment](#) (FBA) can help figure out the cause of problem behaviors. A behavior intervention plan (BIP) is a plan that's based on the FBA. A BIP can help to replace problem behaviors with more positive ones. Here's what you need to know about behavior interventions and the BIP.

### What Are Behavior Interventions?

Behavior interventions are steps teachers take to stop problem behaviors at school. First, the problem behavior must be identified. For example, your child may be:

- Disrupting the class
- Showing aggression toward the teacher or other children
- Acting unresponsive or withdrawn
- Refusing to do classroom work
- Using inappropriate or harassing language

Your child's teacher or [IEP team](#) can work to determine what purpose the problem behavior serves for your child. For example, there are many possible reasons why he throws a book in class. Maybe he can't understand what's being taught.

What does your child gain or avoid by misbehaving? Maybe he's seeking attention from the teacher or other students. Kids often don't know why they do what they do. By doing a functional behavior assessment (FBA), the [IEP](#) team or teachers and staff can determine the cause of the behavior. Then they can plan appropriate ways for your child to seek attention.

The FBA may involve interviewing your child, the teacher or other school staff. The teacher and other staff may also observe your child to pinpoint what triggers the problem behavior. Once the IEP team understands what function the behavior serves for your child, they can create a behavior intervention plan.

## What Is a Behavior Intervention Plan?

A behavior intervention plan (BIP) is a plan that's designed to teach and reward positive behaviors. This can help prevent or stop problem behaviors in school. The BIP is based on the results of the FBA.

The BIP describes the problem behavior, the reasons the behavior occurs and the intervention strategies that will address the problem behavior.

The IEP team might realize that your child lacks the skills needed to handle certain situations. For example, if your child has attention and impulsivity issues, he may not know how to respond appropriately when another child confronts him. Instead, he might become physically aggressive.

A BIP can help your child learn problem-solving skills and better ways to respond in that type of situation. The plan also explains who is responsible for helping with each aspect of the BIP. Here's how that might read in a BIP:

- The student will ask for breaks when needed.
- The counselor will teach student self-calming activities.
- The student will be removed from a group after one warning until he can show self-control.
- The student will be rewarded with computer time if the teacher notices him working well in a group.
- The teacher will de-emphasize competition in classroom.

## What to Watch Out For

A child's BIP should be monitored and adjusted as needed. A BIP doesn't always work as planned. Two of the most common reasons are:

- A mismatch between the intervention and the targeted behavior. Sometimes the IEP team assumes the misbehavior happens for one reason, but the real reason is something else completely.
- A failure to monitor and adjust the rewards or reinforcement for appropriate behavior over time. What works at first might soon become "old hat" and need to be switched up.

Problem behavior can be triggered by things that are unrelated to children's learning and attention issues. It can be caused by frustration with school, family issues or social pressure. Even the size of a classroom or nearby distractions can set off inappropriate behavior.

Don't hesitate to [speak up for your child](#) and work with the school to develop a BIP. If your child has an IEP or [504 plan](#), these supports should be part of the plan.

## Behavior

### Key Takeaways

- A functional behavior assessment (FBA) is the first step to determine the real cause of a child's problem behavior.
- Work with your child's IEP team or 504 plan coordinator to develop an effective behavior intervention plan (BIP).
- The BIP needs to be monitored and adjusted over time.

### About the Author

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## **Special Education Discipline: Suspension and Expulsion**

KIDS LEGAL

Website: [www.kidslegal.org](http://www.kidslegal.org)

### **Is disciplining a special education student different than a non-special education student?**

Yes! Special education students have more protections when facing discipline at school. The purpose of those protections is to make sure that a child is not missing many days of the services that they need. The protections also make sure that students with disabilities are not being disciplined due to their disability.

### **Can a special education student get suspended?**

Unfortunately yes. A special education student can get suspended just like their non-disabled peers. But a special education student must still be educated and receive services while out on suspension if the discipline is considered a “change in placement.” A “change of placement” is when a student:

- Is removed from school for more than 10 school days in a row, or
- Is removed from school for more than a total of 10 school days in a school year if the behaviors that lead to the suspension are “substantially similar” or very much alike.

This means it is possible for there to be no change in placement even if a child is removed from school for more than 10 days. It all depends on the facts. If the school determines that it is a change of placement, services could take place in the school setting or outside of the school setting.

A “manifestation determination” also needs to happen if a change of placement has occurred. (See below) Whether the discipline is considered a change in placement, where services will be provided, and the manifestation determination will be determined by the IEP Team.

### **What happens at a manifestation determination meeting?**

An IEP Team meeting is held to decide if a student’s behaviors are “substantially related” to the child’s disability. If it is decided that the behavior is substantially related to the child’s disability, the child cannot be removed from school. The IEP team will review:

- The child's file
- The child's IEP
- Any teacher observations
- Any information provided by you. You can bring in outside evaluations or reports from your child's counselor for the team to review.

In deciding if there is a manifestation, the team will answer 2 questions:

- Was the behavior caused by or directly and substantially related to the child's disability?

## Behavior

- Was the behavior a direct result of the school's failure to implement the child's IEP?

If the answer to one of these questions is "yes," then the behavior is a manifestation of the child's disability. Remember, you are an equal member at an IEP Team meeting! Be sure to explain why you think your child behaved inappropriately and how you think it is related to his or her disability.

### **What happens if the behavior is a manifestation of a child's disability?**

When there is a manifestation, the child cannot be further disciplined. This means the child cannot be recommended for expulsion or continue to be suspended for that behavior.

Instead, the IEP needs to be changed to address your child's behaviors. If the school did not follow the IEP, it must follow it immediately.

The IEP team must also conduct a functional behavioral assessment (FBA) unless one was completed earlier.

The FBA will try to figure out the child's behaviors by looking at:

- What makes the child's behavior happen?
- When does the behavior happen?
- What is your child trying to get from the behaviors (attention, avoidance, etc.).

Once the FBA is completed a behavior plan must be put in place. If the child already had a behavior plan, it should be changed to address the behavior. The behavior plan should become part of the child's IEP.

The child should also be returned to the placement they were in before they were removed from school, unless:

- The IEP Team decides to change the placement at the meeting, or
- The school places your child in an

A child can only be placed in an IAES if 1 of 4 things happened:

- The child brought a weapon to school, on school grounds or at a school event.
- The child had illegal drugs at school, on school grounds, or at a school event.
- The child inflicted serious bodily injury on another person at school, on school grounds or at a school event, or
- The school asked for and won a due process hearing before the State of Maine Department of Education because the school was afraid your child was dangerous and was "substantially likely" to injure himself or someone else.

**IMPORTANT:** If a child did not have a weapon or drugs at school or did not cause serious bodily injury to another person while at school, on school premises or at a school event, the school cannot just place them in an IAES. The school must request a due process hearing before putting a child in an IAES. At the hearing, the

## Behavior

school must prove that a child's continuation in his current placement is "substantially likely to result in injury to the child or to others." If the school does not prove this, your child cannot be put in an IAES.

In all cases, the IAES can be for only *45 school days*. It is a temporary placement that gives the IEP Team time to develop an appropriate IEP while keeping the child and the school safe. The IEP Team decides what the IAES should be. Remember, the IAES must allow the child to advance in the general curriculum, meet his IEP goals, and address his inappropriate behavior. Again, you are an equal participant in the IEP Team meeting. You can invite other people who know your child to the IEP Team meeting. For example, if your child has a

counselor or case manager who can talk about your child's behaviors and needs, invite him/her to attend in person or by phone. Make sure that your child's needs are being met in the IAES.

### **What if the behavior not a manifestation of the child's disability?**

If the IEP Team decides there is no manifestation, then your child can be disciplined just like any other student. This means he can be recommended for expulsion before a school board if the school wants him removed for more than 10 school days. Remember, your child must still receive educational services after being removed from school for more than 10 school days in a school year.

If you disagree with the manifestation determination, you can request a due process hearing. Your child will stay in his current educational placement (Stay Put). This can include the IAES if your child is placed there. You can ask for an expedited hearing.

### **What kind of services can a child get when removed from school?**

If a student with a disability is removed from school for more than *10 school days* in a school year, he must get educational services. The school district must make the arrangements. The services will be somewhere other than the school. This is true even if your child is expelled after a school board hearing. The services must allow the child to:

- Progress in the general curriculum,
- Progress toward his IEP goals, and
- If appropriate, include a and a behavior plan that addresses the behaviors that caused the child to be removed from school.

If the removal is a change of placement, the IEP Team will decide what the services are. The IEP will then be changed. If your child have been out of school for more than 10 school day in a school year because of a series of short-term suspensions that do not amount to a change of placement, the IEP Team does not have to meet. Instead, an appropriate school staff person can decide what the services will be during your child's removal after talking with one of your child's teachers.

### **Is two hours a day of tutoring enough?**

Tutoring by itself is probably not appropriate. It is a very restrictive placement because there is no contact with peers. Tutoring, along with other services, may be appropriate.

## Behavior

Think about the child's IEP goals. How will they be addressed? Also think about how your child's behaviors will be addressed? Remember, the educational services your child gets must allow him to advance in the general curriculum and meet his IEP goals.

If your child is tutored, the tutor must be a certified special education teacher, certified regular education teacher or an ed tech 3. The State regulations are clear that there is no maximum on the number of hours of tutoring a day. A school policy of giving 2 hours of tutoring a day is not appropriate.

A tutoring program must be decided by the IEP Team and must be based solely on your child's needs, not school policy or practice. If tutoring will last more than *10 school days*, a new IEP must be developed.

### **Can a child be referred for special education services while suspended or expelled?**

Yes. If a referral is made, the evaluations must happen quickly.

You can also claim the extra protections explained above (a manifestation determination and educational services when your child has been removed from school for more than 10 school days in a school year) if the school had knowledge that your child was a student with a disability.

The school is deemed to know that if:

- The parent expressed concern in writing to a school administrator or the child's teacher that they believe the child needs special education services,
- The parent requested an evaluation of the child, or
- A teacher or other school staff expressed concerns about a child's pattern of behaviors to the special education director or other school staff person with supervisory responsibility.

A child will not be eligible for the extra protections if:

- The school requested an evaluation and the parent or adult student said no,
- The school offered special education services and the parent or adult student said no, or
- The child was evaluated and the IEP Team decided that they do not have a disability under IDEA.

## Behavior

### National Resources

#### **Positive Behavioral Interventions & Supports**

##### **OSEP Technical Assistance Center**

Website: [www.pbis.org](http://www.pbis.org)

#### **WrightsLaw**

Website: [www.wrightsLaw.com](http://www.wrightsLaw.com)

#### **Center for Parent Information and Resources**

c/o Statewide Parent Advocacy Network (SPAN)

35 Halsey St., 4th Floor

Newark, NJ 07102

(973) 642-8100

Website: [www.parentcenterhub.org/](http://www.parentcenterhub.org/)

#### **Office of Special Education Programs**

##### **U.S. Department of Education**

400 Maryland Avenue, SW

Washington, DC 20202-7100

Phone: 202-245-7459

Website: <https://sites.ed.gov/idea/>

#### **KidsHealth**

Website: <http://kidshealth.org>

## Behavior

### State Resources

#### **KIDS LEGAL**

Website: [www.kidslegal.org](http://www.kidslegal.org)

#### **GEAR Parent Network**

Through parent-to-parent sharing of experiences and knowledge, G.E.A.R. Parent Network empowers parents of children with behavioral health needs to build on their family's strengths and to advocate for their family's needs.

Phone: 1-800-264-9224

Website: <https://crisisandcounseling.org/services/gear/>

#### **National Alliance on Mental Illness**

Phone: 1-800-464-5767

E-mail: [info@namimaine.org](mailto:info@namimaine.org)

Website: [www.namimaine.org](http://www.namimaine.org)

#### **Office of Child and Family Services**

2 Anthony Avenue

11 State House Station

Augusta, Maine 04333

Phone: 207- 624-7900

Website: [www.maine.gov/dhhs/ocfs/cbhs/contactus.html](http://www.maine.gov/dhhs/ocfs/cbhs/contactus.html)

#### **Disability Rights Maine**

24 Stone St, Ste. 204

Augusta, ME 04330

800.452.1948 (V/TTY)

207.626.2774 (V/TTY)

207.621.1419 (FAX)

[advocate@drme.org](mailto:advocate@drme.org)

Website: <http://drme.org/>

#### **Maine Department of Education**

23 State House Station

Augusta, ME 04333-0023

Voice: (207) 624-6600

Website: [www.maine.gov/doe/](http://www.maine.gov/doe/)

## Maine Parent Federation Lending Library

### Library Procedures

The MPF Library is a valuable resource to families and professionals in Maine. The success of the library is greatly determined by the quality and availability of the materials we offer. To help us maintain our library, we ask that you follow these guidelines.

### How to Request Materials

Call:	1-800-870-7746 or 207-588-1933	E-mail:	dnewcombe@mpf.org
		Fax:	207-588-1938
Write:	MPF Library P O Box 2067 Augusta, Maine 04338	Visit:	484 Maine Avenue, Suite 2D Farmingdale, Maine 04344 Hours: 8:30 - 4:30 Mon. – Fri.

### Library Policy

The complete library list is available in print or online at [www.mpf.org](http://www.mpf.org).

You may borrow two materials at a time. You are responsible for the cost of return postage.

Materials will be mailed out on the day you request them if they are available.

Materials are loaned for a three-week period. If you need materials longer and call to check with us, we may be able to extend the due date if no one is waiting for them.

If materials are more than one week late we will ask you for a \$5 late fee donation payable to the MPF Library for every week the material is overdue. A reminder card will be mailed during the first week that materials are overdue.

We keep a waiting list for materials that are already on loan when you request them. You can ask that your name be added to the waiting list and materials will be mailed to you when they become available.

### About the Library List

The library list is arranged by topic then listed alphabetically by title. Materials are not cross-referenced, so each title appears only once and you may have to check other sections.

**\* Please remember - we are always adding new materials and updating the library list.**

## Behavior

The following materials on **Behavior** are available from our library:

**1-2-3 Magic** by Thomas Phelan, Ph.D. (Book or DVD)

Managing difficult behavior in children 2 to 12, addresses the difficult task of child discipline with humor, keen insight and proven experience.

**1-2-3 Magic for Kids** by Thomas Phelan, Ph.D. (Book)

This book is designed to help parents explain this simple discipline program to children, presented from a child's point of view.

**1-2-3 Magic for Teachers** by Thomas Phelan, Ph.D. (Book)

Effective classroom discipline, Pre-K through Grade 8. Explains how teachers can establish and maintain reasonable control of their classrooms.

**The Angry Child** by Tim Murphy, Ph.D. (Book)

Dr. Murphy explains both the roots of and the solutions for uncontrollable anger in children, showing how parents can help.

**Angry Kids Frustrated Parents** by Terry Hyland & Jerry Davis, Ph.D. (Book)

Are you worried about aggression in your child? This book offers practical ways to prevent and reduce aggression.

**The Answer is No** by Cynthia Whitman, MSW (Book)

Help for parents of 2 to 12 year olds, how to limit TV, sweets, begging at stores, staying up late, make-up and much more.

**Bullies Are a Pain in the Brain** by Trevor Romain (DVD or Children's Book)

If you're sick of being picked on, pushed around, threatened or teased, this book is for you.

**From Chaos to Calm** by Heininger & Weiss (Book)

Effective parenting of challenging children with ADD and other behavioral problems.

**How to Handle a Hard-to-Handle Kid** by C. Drew Edwards, Ph.D. (Book)

A parent's guide to understanding and changing problem behaviors.

**How to Take the GRrrr Out of Anger** by Elizabeth Verdick & Marjorie Lisovskis (Book)

Offers 5 steps to taming your temper, 6 steps to solving anger problems and much more.

**More 1-2-3 Magic** by Thomas Phelan, Ph.D. (DVD or Book)

Help for parents to encourage good behavior, independence and self-esteem.

**Parents Are Teachers** by Wesley Becker (Book)

A child management program for home and school.

## Behavior

**Parenting the Strong-Willed Child** by Rex Forehand, Ph.D. & Nicholas Long, Ph.D. (Book)  
The clinically proven five-week program for parents of two-to six-year olds.

**SOS! Help for Parents** by Lynn Clark, Ph.D. (Book)  
A practical guide for handling common everyday behavior problems.

**Surviving Your Adolescents** by Thomas Phelan, Ph.D. (Book or Video)  
How to manage and let go of your 13 to 18 year olds.

**Tired of Yelling** by Lyndon Waugh, M.D. (Book)  
Offers solutions for more peaceful homes and classrooms.

**Understanding the Defiant Child** by Russell Barkley (Video)  
Dr. Barkley provides a vivid picture of what we know about Oppositional Defiant Disorder and presents real-life scenes.

**Win the Whining War and Other Skirmishes** by Cynthia Whitman (Book)  
A guide to reducing conflict with children ages 2 to 12.

**Your Defiant Child** by Russell Barkley, Ph.D. & Christine Benton (Book)  
Restore your loving relationship with your child and bring peace to your home. Eight steps to better behavior.

**This is a partial list of the materials we have available on Behavior. To view the complete library list, visit our website at [www.mpf.org](http://www.mpf.org).**

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